

VZCZCXYZ0000
RR RUEHWEB

DE RUEHLGB #0726/01 2101035
ZNY CCCCC ZZH
R 291035Z JUL 06
FM AMEMBASSY KIGALI
TO SECSTATE WASHDC 3045

C O N F I D E N T I A L KIGALI 000726

SIPDIS

SIPDIS

DEPT FOR AF/C, DRL

E.O. 12958: DECL: 07/28/2016
TAGS: [KDEM](#) [PGOV](#) [PHUM](#) [RW](#)
SUBJECT: GOR ON RELATIONS WITH CIVIL SOCIETY

Classified By: PAO Brian George for reason 1.4 (D)

11. (U) Summary. On July 5 Embaffs met with GOR officials to discuss the relationship between civil society and the GOR. The meeting provided an opportunity for the GOR to clarify its relationship with NGOs, religious organizations, and political parties operating in the country, and to address a number of issues raised in the Human Rights Report,s country report on Rwanda. End summary.

12. (U) The meeting, chaired by Ambassador Richard Sezibera, also included the following GOR officials:
--Ambassador Joseph Mutaboba, Secretary General, Ministry of Interior
--Dr. Alisa Kirabo Kakira, Mayor, Kigali
--Eugene Barikana, Secretary General, Ministry of Local Government, Community Development, and Social Affairs
--Mary Gahonzire, Deputy Commissioner, Rwanda National Police
--George Rupenzi, Spokesman, GOR Civil Society Platform

Embassy representatives were CDA, PAO, POLOFF, USAID Democracy and Governance team leader, and POL intern.

13. (U) Background: In an effort to fully engage the GOR on human rights issues, Embassy Kigali has initiated a series of meetings with key GOR officials. This was the second in that series; the first meeting focused on press freedom. The July 5 meeting used the Human Rights Report as a framework for discussion.

NGO Oversight

14. (U) The GOR recently forwarded to parliament a draft amended bill on the regulation of domestic NGOs and cabinet currently is reviewing a draft bill governing international NGOs operating in the country. Both bills, Ambassador Sezibera said, were drafted to address dissatisfaction with existing laws and are the result of very long and extensive consultative processes. He expressed his hope that these laws, when passed, will adequately address the earlier concerns. Sezibera stated, however, that at no point had the registration of NGOs been suspended.

15. (U) The GOR began the discussion on NGOs by outlining the many reasons it believes that government oversight is necessary. Referring to the immediate post-genocide period, Ambassador Sezibera and others noted the great influx of NGOs onto the country. The rapid influx and lack of coordination led to duplication of efforts, wasted resources, and a proliferation of fake organizations that sought to capitalize on the ready availability of assistance money. It is important, they said, to protect donors from being duped into giving money to disreputable organizations.

16. (U) GOR representatives argued that the number of NGOs operating in the country (in some instances, as many as 200

in a single district) makes it a practical necessity to know who is active and what programs they are working on in order to effectively coordinate efforts. They cited the provision requiring NGOs to register in each district within which they are active as a logical outgrowth of the GOR's decentralization program. Local registration and oversight is, Sezibera said, a way of empowering the local population. The GOR, he added, is interested in knowing, not controlling, what NGOs do, and he observed that NGOs should have no problem with being held to standards of transparency and accountability that governments themselves must meet.

17. (U) NGOs will, under the new law, be subject to bi-annual evaluations in each district under the auspices of Joint Action Forums. The GOR team was unmoved by expressions of concern that this could, in effect, subject an NGO working countrywide to 30 different evaluations, each of which might employ different criteria to determine whether the organization is performing satisfactorily, and that those criteria are too vague. Sezibera said that the evaluation criteria are sufficiently clear and that protection under the law is spelled out in other parts of Rwandan law, but he cited no specifics. The GOR made it clear that they believe the role of civil society is to support the government, and that their work should be in accordance with national and local action plans. At the same time, however, they argued that the action plans are sufficiently broad to permit a wide range of activities. As a practical matter, it was noted, only one NGO has ever been denied registration.

18. (SBU) The only NGO to have been denied registration is the Community of Indigenous Rwandans (CAURWA), which purports to advocate for the advancement of the Batwa people. Sezibera, Ambassador Mutaboba, and Gahonzire were all adamant that the GOR could not permit the registration of CAURWA since it is organized on ethnic lines. Mutaboba said it is a mistake to view the Batwa in the same light as the pygmies of Congo or other countries. The Batwa are not, he said, an aboriginal group. Historically, he added, they were part and parcel of the administrative system of the Kingdom of Rwanda. It was only during the colonial era that they were marginalized. They were not alone in being marginalized, however, and the GOR believes their grievances (poverty, lack of education, etc.) can be addressed without resorting to an ethnic prism. Gahonzire characterized CAURWA as an organization founded by two unscrupulous individuals who do not have the backing of the broader Batwa community. They are simply opportunists looking for a chance to make some money off international donors.

19. (SBU) Mutaboba went on to explain that he himself visits regularly a Batwa community near his own Immigration Department and cited--apparently as a sign of the GOR's tolerance--the fact that there is a cultural group that promotes a particular Batwa form of dance. Asked to clarify how it is possible for this group to promote a specifically Batwa dance, Mutaboba backtracked somewhat and said the group promotes a specific dance, not Batwa dance per se. Asked whether a group advocating on behalf of the Batwa could be formed as long as its membership was open to all ethnic groups, he said that this was not possible. (Comment: It appears the GOR is in the difficult position of reconciling tolerance for forms of cultural expression closely identified with the Batwa while at the same time strictly enforcing in the political realm the Constitutional ban on groups formed along ethnic lines. End comment.)

10. (U) Contrary to the Human Rights Report's assertion, Ambassador Sezibera said there is no prohibition on advocacy activities; civil society organizations--including labor unions--are allowed to advocate. The misunderstanding, he said, resulted from a poor English translation of the original Kinyarwanda text of Article One of Law 20/2000 passed 26 June 2000. With respect to lobbying, Sezibera said that lobbying is permitted but noted that lobbying organizations, because they are businesses, are regulated by commercial law rather than by the NGO law.

Religious Organizations

¶11. (U) Registration of new religious organizations was suspended in 2003, Sezibera said, but only because religious organizations were unhappy with the terms of the law under which they were being registered. Religious organizations have been able, however, to register under the NGO law pending approval of a new law on religious organizations. Sezibera also noted that in reality, there have been very few new church applications since 2003 because of the large influx of churches prior to that date.

¶12. (U) The GOR team confirmed that the authorities must be notified if a large meeting (religious or otherwise) is to take place at night, but noted that this is a safety and security issue (large daytime gatherings also require advance notification, but the requirements are less strict because nighttime events pose a greater challenge to security and emergency workers). The Ministry of Local Government (MINALOC) representative added that the Government has a very positive relationship with religious groups and noted that the Ministry meets with religious leaders every three months and additionally as needed.

¶13. (U) With respect to Jehovah's Witnesses, the group denied that there were any widespread problems. Problems may exist with individuals, but because of their transgressions, not because of they are Jehovah's Witnesses. Mayor of Kigali Dr. Alisa Kirabo Kakira denied that there is a ban on the construction of new Kingdom Halls, and the group said that it has been accepted that Jehovah's Witnesses, like many other groups, are permitted to perform other civic duties in lieu of serving on night patrols if it violates the strictures of their religion.

¶14. (C) In spite of these statements, it was clear that on an individual level there are some government officials who are uncomfortable with the practices of Jehovah's Witnesses. Kakira, for example, expressed concern about Jehovah's Witnesses practice of going door to door proselytizing and stated that their unwillingness to participate in civic education had a negative effect on the patriotism the GOR is trying to instill in Rwandans (as a replacement for ethnic identities).

Political Parties

¶15. (U) The GOR officials, as in earlier exchanges with Emboffs, explained that the Democratic Movement of Rwanda (MDR) was not banned. Rather, the party fell apart of its own accord and failed to re-register. Asked why then there was a need for the government to have legally dissolved the party, Sezibera explained that the GOR did not &dissolve8 the party but rather &liquidated8 it after it failed to re-register. The confusion over the GOR's action arose, he said, from an English translation of Law 20/2000 which incorrectly used the word &dissolved.8

¶16. (C) MINALOC Secretary General Eugene Barikana said that there are no barriers against the organization of political parties; any group interested in registering as a party need only submit a membership list and demonstrate its capacity to function as a party. Barikana went on to add, however, that the Government must also be satisfied that a party's platform is one that will contribute to the development of society. When asked by Emboffs if that is not a judgment best left for the electorate to make, Sezibera interjected and suggested that we first review the relevant legislation and statutes which, he said, clearly spell out the criteria for registration of a party and then see if we have any specific questions.

Pillars of Rwandan Society

¶17. (SBU) Sezibera identified the Forum of Political Parties (FPP), the gacaca courts, the National Unity and

Reconciliation Commission, and the Human Rights Commission as pillars⁸ of Rwandan society. Sezibera was particularly animated by what he termed the uninformed criticism of the Forum of Political Parties in the HRR. The GOR, he said, took great offense to that portion of the report and suggested that their objection was so strong that they preferred not to put in writing what they really felt in their official response to the HRR. Whoever wrote that portion of the report must, Sezibera argued, have an ideological aversion to the FPP. In fact the FPP was, he said, created to give an opportunity for all parties--even those who do not receive enough votes to be represented in parliament--to have a seat at the table. The general idea, he added, is that if a group of people feel so strongly about certain issues that they decide to form a party, then they should have an opportunity to express their opinions. (Note: Sezibera used the example of land reforms and said, due especially to Rwanda's history, "all people" must have a voice. End Note) The FPP is designed to encourage Rwandans to work together and it promotes a culture of dialogue that Rwandans highly value. It is also part of a broader effort to get people comfortable enough to participate in political change in a country where, traditionally, getting a voice has been difficult if one party is in the majority.

THURSTON